

VIRGINIA LEGISLATURE.

HOUSE OF DELEGATES.

Tuesday, December 2, 1806.

The following committees were appointed viz.
A committee for courts of justice—of claims—propositions & grievances—privileges and elections—Finance—to examine the executive expenditure for the last year—and a committee to examine the clerk's office.

Resolved, That the standing rules and orders adopted for the government of the house the last session, be adopted for the government of this house the present session.

A motion being made for the house to proceed to the appointment of a chaplain, the previous question, whether a chaplain shall be appointed? was moved and seconded; and the question being put upon the said motion, it passed in the negative—Ayes 76—Noes 79.

Ordered, that writs of election issue to the counties of Rockbridge, Botetourt and Southampton, to supply the vacancies occasioned by the acceptance by Andrew Alexander, esq. of the office of surveyor of the said county of Rockbridge; and the deaths of James M'Ferran, of Botetourt, and Mills Everett, of Southampton.

The speaker laid before the House a letter from general Alexander Spotswood, accompanied by two manuscript volumes, written by Alexander Spotswood, esq. formerly governor of the colony of Virginia, relating to the affairs of the said colony of Virginia and of North Carolina; which were ordered to be laid on the table.

A petition was presented and read from John Forbes of the county of Fluvanna, complaining of the undue election and return of Wm. Pastour, one of the delegates returned to serve in this present General Assembly from said county; which, with the accompanying documents was referred to the committee of privileges and elections.

A petition was presented and read from a number of persons in Prince George, praying that the act of Assembly which authorizes the sale of the glebe lands in said county, and the application of the money arising therefrom to the erection of an Academy, may be repealed, or amended so as to authorize the overseers of the poor or other commissioners to make sale of the same agreeably to an act of Assembly entitled, "an act concerning the Glebe lands & churches of this commonwealth;" which was referred to the committee for Courts of Justice.

A petition was presented and read from sundry inhabitants of the county of Campbell and the town of Lynchburg, praying the passage of a law to establish a town on the lands of George Cabell, Senr.

Also, a remonstrance of John Lynch of said county in opposition thereto.
Also, a petition of Rowland Jones of Lynchburg, and sundry other persons, praying the passage of a law for the erection of warehouses for the inspection of tobacco on certain lots of land in said town belonging to said Jones.

Also, a petition of William Davis, senr. of the said town of Lynchburg, and sundry other persons, to same effect.

Also, a remonstrance of James Martin in opposition to the two last mentioned petitions.

Also, a petition of William Prentiss of Petersburg and sundry other persons, praying the passage of a law authorizing the establishment of a warehouse for the inspection of tobacco on the land of the said Prentiss in the town of Petersburg.

Ordered, that the said petitions be referred to the committee of propositions and grievances.

A petition was presented from George M'Daniel and James Warwick, inspectors of tobacco at Martin's warehouse in Lynchburg, praying an augmentation of their salaries.

Also, a similar petition from the inspectors of tobacco in Petersburg.

Also, a petition from James Johnson of Pittsylvania, praying the legislature to refund to him a certain sum of money which was overpaid by him into the public treasury.

Ordered, that the said petitions be referred to the committee of claims.

The speaker laid before the house a letter from the Governor, accompanied by sundry documents for the consideration of the General Assembly; and the said letter being read; with the said documents, ordered to be on the table.

On motion, Ordered, that 250 copies of the said letter be printed for the use of the members of the General Assembly.

On a motion made, Resolved, that this house will on Thursday next, proceed by joint ballot with the Senate to the election of a Judge of the Superior Court of Chancery for the Richmond District to supply the vacancy occasioned by the death of the venerable George Wythe.

Ordered, that the Clerk inform the Senate thereof.

And then the house adjourned till tomorrow 12 o'clock.

Wednesday, December 3, 1806.

The House resumed the reading of the documents accompanying the Governor's letter of yesterday, and the same being in part gone through;

On motion, Ordered, that so much of the said communication as relates to the alteration of the Constitution of the United States, proposed by the States of Maryland and Tennessee, be referred to the committee of the whole house on the state of the Commonwealth.

On motion, Ordered, that so much of the Governor's Communication as relates to the Penitentiary system, be referred to Messrs. Harrison (of Amelia) Foushee, Harvie, Wayt, Oley, Stephenson, Randolph, Reed, Beale, Locke and Wythe, are that they do report thereupon to the house by bill or otherwise.

Ordered, that the remaining documents

accompanying the Governor's Communication be laid upon the table.

On motion, Resolved, that the Executive be requested to lay the Journal of their proceedings before the General Assembly.

On motion, Resolved, that this house will on Monday the 15th inst. proceed by joint ballot with the Senate to the choice of a member of the Privy Council or Council of State, to supply the vacancy occasioned by the death of Lyne Shackelford, esq.

On motion, Ordered, that a committee be appointed on the part of this house to examine the Treasurer's Accounts, and a committee was appointed of Messrs. Semple, Greenhow, Baytop, Mallory, M'Henry (of Washington) White (of Orange) Brooke, Evans and Jones (of Hanover).

On motion, Resolved unanimously, as a testimonial of respect for the character of our illustrious fellow citizen George Wythe, who to his latest moment devoted to the service of his country those pre-eminent talents and distinguished virtues, which at a most perilous crisis, were with manly firmness and incorruptible patriotism exerted to obtain for her the inestimable blessing of Freedom.—That the members of this house will for one month wear a badge of mourning.

On motion, Resolved, that this house will on to-morrow, proceed by joint ballot with the Senate to the appointment of a Governor or Chief Magistrate of this Commonwealth for one year.

On motion, Resolved, that this house will on to-morrow, proceed by joint ballot with the Senate, to the choice of a public printer to this Commonwealth for one year.

A petition was presented from a number of the inhabitants of the counties of Bedford, Cumberland, Spotsylvania, & Gloucester, enumerating the disadvantages resulting to this Commonwealth, from the number of hawkers and peddlars who trade therein, and praying the interference of the legislature for the removal of the evil;

Also a petition from a number of persons, praying that witnesses may by law be authorized to enter their attendance in the clerk's office in the county courts, as is done in the district courts, and not in open court, as at present required by law; and further praying that the law allowing a fixed sum to county court clerks for their public services, may be so changed, as to authorize the courts to make such allowance therefor as they shall deem reasonable;

Also a petition from Richard White and others, inhabitants of Washington County, praying that the said White may be authorized to remove from the state of Tennessee into this state certain slaves, the property of the said White;

Also a petition from a number of the inhabitants of the borough of Norfolk, praying the passage of a law authorizing the inhabitants of said borough to pave the streets thereof, in the manner stated in said petition;

Also a petition from a number of the inhabitants of the town of Fredericksburg, praying certain alterations in the law authorizing the election of aldermen for the said town;

Also a petition from the trustees of A-bington academy, praying certain alterations in the law authorizing the appointment of trustees for the said academy;

Also, a petition of James D'sart, praying that certain lands in the county of Washington, of which a certain Hugh Johnston died seized, and which have escheated to the Commonwealth, may by law be authorized to be sold, and the proceeds applied to the benefit of his creditors, and the surplus distributed agreeably to law;

Ordered, that the said petitions be referred to the committee for courts of justice; that they do examine the matter thereof & report the same with their opinions thereupon to the house.

A petition was presented and read from David Long and others, inhabitants of Harrison county, praying that the mill dam of the said David Long across Tyger valley river, may not come under the operation of the law of the last session of the General Assembly, but may be permitted to remain as it is, and that commissioners may be appointed to view said dam, and direct such slope across said dam as may be proper;

Also, a petition of John Lunsford and others of the county of Lancaster, Praying that the said John Lunsford and his heirs may be allowed to keep a ferry across Crotonan river from Ferry point near Dany's warehouse to the opposite point near Laury's warehouse;

Also, a memorial of John Laury in opposition thereto;

Also, a petition of a number of the inhabitants of Bedford and Amherst Counties, praying that a Ferry may be established from the lands of James Wagh in Amherst County across the Fluvanna or James river, to the lands of Tamaline William Whiting Danies in Bedford County;

Also, a remonstrance of the said Danies and other persons, in opposition thereto;

Also, a petition from Henry Deerning & others, praying that the said Deerning may be authorized to establish a Ferry from his mill, across the Monongahalia river, to the land of Noah Ridgway and William Tingle, on the opposite shore;

(To be Continued.)

The General Assembly, with an unanimity which is equal to honorable to the electors and the elected, have confirmed the Executive appointment of Mr. Creed Taylor, as Judge of the Richmond Chancery District court.

The Senate has re-elected Mr. R. Taylor of Orange, their Speaker, and the Governor met with no opposition.

Nothing of importance has as yet, occupied the attention of the legislature; but if the Assembly bestow on the communication of Governor Cabell, that attention, which is due to the talents, elegance and import of the publication, the legislative proceedings of Virginia, may be expected to afford a more interesting subject of attention, than they have hitherto been entitled to.

COL. PHILIP READ (late a member of the executive council) a genuine republican, has been elected a senator in the congress of the United States, to fill up the vacancy occasioned by the resignation of Robert Wright, esq. lately chosen governor of Maryland.—Post.

President's Message.

As we have not room in the paper of this morning to give the whole of the PRESIDENT'S MESSAGE, we publish on abstract of those parts, which appear to be the most interesting. The message entire will be given in our next.

The delays which have taken place in our negotiations with the British government, appear to have proceeded from causes which do not forbid the expectation that during the course of the session I may be enabled to lay before you their final issue. What will be that of the negotiations for settling our differences with Spain, nothing which had taken place at the date of the last dispatches, enables me to pronounce.

A proposition has been lately made by our commander in chief, to assume the Sabine river as a temporary line of separation between the troops of the two nations until the issue of our negotiations shall be known; this has been referred by the Spanish commandant to his superior, and in the mean time he has withdrawn his force to the Western side of the Sabine river.

Having received information that in another part of the U. S. a great number of private individuals were combining together, arming and organizing themselves contrary to law, to carry on a military expedition against the territories of Spain, I thought it necessary by proclamation as well as by special orders, to take measures for preventing and suppressing this enterprise, for seizing the vessels, arms and other means provided for it, and for arresting and bringing to justice its authors and abettors. It was due to that good faith which ought ever to be the rule of action, in public as well as in private transactions; it was due to good order and regular government that, while the public force was acting strictly on the defensive, and merely to protect our citizens from aggression, the criminal attempts of private individuals to decide for their country, the question of peace or war, by commencing active and unauthorized hostilities, should be promptly and efficaciously suppressed.

Whether it will be necessary to enlarge our regular force, will depend on the result of our negotiations with Spain. But as it is uncertain when that result will be known, the provisional measures requisite for that end, and to meet any pressure, intervening in that quarter, will be a subject for your early consideration.

In a country whose constitution is derived from the will of the people, directly expressed by their free suffrages, where the principal executive functionaries and those of the legislature are renewed by them at short periods, where under the character of jurors, they exercise in person the greatest portion of the judiciary powers, where the laws are consequently so formed and administered as to bear with equal weight and favor on all, restraining no man in the pursuit of honest industry, and securing to every one the property which that acquires, it would not be supposed that any safeguards could be needed against insurrection or enterprise on the public peace or authority. The laws however, aware that these should not be trusted to moral restraints only, have wisely provided punishment for these crimes when committed. But would it not be salutary to give also the means of preventing their commission? Where an enterprise is meditated by private individuals against a foreign nation, in amity with the U. S. powers of prevention to a certain extent, are given by the laws. Would they not be as reasonable and useful where the enterprise preparing is against the U. S.? While adverting to this branch of the law, it is proper to observe that in enterprises meditated against foreign nations, the ordinary process of binding to the observance of the peace and good behavior, could it be extended to acts to be done out of the jurisdiction of the U. S. would be effectual in some cases, where the offender is able to keep out of sight every indication of his purpose, which could draw on him the exercise of the powers now given by law.

The states of the coast of Barbary seem generally disposed at present to respect our peace and friendship. With Tunis alone some uncertainty remains. Persuaded that it is our interest to maintain our peace with them on equal terms, and at all, I propose to send in due time a reinforcement into the Mediterranean; unless previous information shall show it to be unnecessary.

The receipts at the treasury during the year ending on the 30th day of September last, have amounted to near fifteen millions of dollars, which have enabled us after meeting the current demands, to pay two millions seven hundred thousand dollars of the American claims, in part of the price of Louisiana; to pay of the funded debt upwards of three millions of principal and nearly four of interest, and in addition to reimburse in the course of the present month, near two millions of five and an half per cent. stock. These payments and reimbursements of the funded debt, with those which had been made in the four years and an half preceding, will at the close of the present year have extinguished upwards of twenty-three millions of principal.

The duties composing the Mediterranean fund will cease by law at the end of the present session; considering however, that they are levied chiefly on luxuries, & that we have an impost on salt, a necessary of life, the free use of which otherwise is so important, I recommend your consideration the suppression of the duties on salt, and the continuation of the Mediterranean fund, instead thereof, for a short time; after which that also will become unnecessary for any purpose now within contemplation.

When both of these branches of revenue shall in this way be relinquished, there will still, ere long, be an accumulation of monies in the treasury beyond the instalments of public debt which we are permitted by contract to pay. They cannot then without a modification assented to by the public creditors, be applied to the extinguishment of this debt and the complete liberation of our revenue, the most desirable of all objects. Nor, if our peace continues, will they be wanting for any other existing purpose. The question therefore now comes forward, to what other objects shall these surpluses be appropriated; and the whole

surplus of impost after the entire discharge of the public debt, and during those intervals when the purposes of war shall not call for them? Shall we suppress the impost and give that advantage to foreign over domestic manufactures.

This, fellow-citizens, is the state of the public interests at the present moment and according to the information now possessed.

[An extension of federal powers is recommended, by which it may be employed in public education, roads, canals, &c.]

FOR THE VIRGINIA ARGUS.

ALTHOUGH the series of essays under the signature Pacificator, relating to the pamphlet "War in Disguise," is closed, yet many important considerations collaterally connected with matters which were noticed in those essays have not been disturbed. Even the promise which preceded the first number, has not been fully complied with. The writer then stated, and promised to regard, in the progress of the discussions, certain cardinal points.

1. To excite a general confidence in the Administration of this Country;
2. To prevent war with any or either of the nations of Europe;
3. To prevent coalitions or alliances with any nation;
4. To counteract unjustifiable prejudices in relation to the nations of Europe.

With respect to the first of these points, the writer believes it is not now necessary to say another word. The causes of discontent are so few and so feeble, that they can make no impressions except upon the minds of those who are predetermined to cherish a spirit of discontent, malignity & opposition. The second and third points may also, without further comment, be dismissed. The great body of the people, neither have interest nor inclination to entangle themselves in the feuds and wars of Europe, or to countenance any other political course, than that which is dictated by a fair, open, honest, manly neutrality.

Though so much attention has been paid to the Pamphlet, called "War in Disguise," the writer was not accounted by a fear or apprehension that those ingenious and delusive pages would have the influence upon the Americans which their author seemed to expect, even some Americans appear to have hoped, and many, very many, both dreaded and deprecated. This Pamphlet was always kept in view, because a false consequence had been given to it by politicians of opposing theories. The writer of this, then and yet believes, that there are but few readers, into whose hands it has fallen, who did not readily discover the cloven foot, who did not perceive that the style and tendencies were more suitable to the situation of Great Britain than to the independent and happy Americans.

There cannot be a man of political consideration, let his inclinations, hopes and fears be what they may, who does not perceive that the Pamphlet exhibits to the Americans in the strongest terms and clearest manner, that to give aid to its projects, or countenance to its doctrines, would not only entangle us as parties in the British Wars, but would reduce us to a state of inferiority, dependency and vassalage, but little short of subjugation. If these sentiments generally prevail, it cannot be necessary to urge further arguments, or to repeat similar investigations.

The writer, however, before he bids adieu to the subject, begs leave to submit to public notice a few general observations which are adapted to the PRESENT STATE OF POLITICAL AFFAIRS.

IN the views which have been taken in the preceding essays, the reader of information and reflection, will perceive nothing which he has not or might not before have known and read. And some will perhaps exclaim, with surprise, why have so many elaborate essays been written to illustrate subjects that were self-evident?—Now mark the answer.

First, there are many great politicians as they pretend, and are esteemed, who, under a mantle which covers profound ignorance, aided by a false reputation, as men of talents and virtue, mislead all who confide in them. They artfully substitute a few common-place opinions or notions, for a regular chain of truths, and at once, by the influence of their names and reputed sagacity, counteract the operation of the most established facts.

Second—a great portion of newspaper readers have not had an opportunity, at any time, to store their minds with those political and historical data, both ancient and modern, which would enable them to form satisfactory and just opinions. To such as these, the elaborate manner, in which these essays have been written, will be not only acceptable, but useful.

It is from the impartial consideration which may be bestowed upon these elaborate illustrations, that each reader may be able to appreciate the advantages and disadvantages of coalitions,—or treaties of alliance, with any of the nations of Europe,—as well as the consequences and results of war. And may also estimate the means best calculated to support us in the even tenor of our unambitious course.

We all know that there are many very honorable men who cry out aloud for war. Upon some occasions they have not only made every nice offence to bear its comment, but have magnified trivial faults, and venial misunderstandings, into national insults, which ought to be only atoned for by the effusion of blood.

Gracious God! what is it that these people want? A. wishes to have an immediate war with Spain, without recollecting that it will be also war with France, because the Spanish minister has deposed himself indecorously towards our president. B. wishes for perpetual war with France, unless that nation will de throne and kill the Emperor, and plunge again into all the horrors of anarchy.—C. wants a war with G. Britain, because some of the naval officers of the crown have committed unauthorized violence upon our citizens and their property.—and there are some who appear to think, that the United States should engage, and without delay, in all these wars at once. Such are the consequences of prejudice, passion and delusion. The candidates for these incompatible projects, not only torment themselves—and disturb the

public tranquility—but they weaken the general confidence, and of course the national strength.—They entangle the executive of the United States in difficulties, and internal perplexities, at a time when the whole soul of our chief magistrate, should be devoted to the perils and difficulties which assail us from abroad.

Are these things true? Not a man who understands the alphabet, who can answer in the negative, or will disown that the increasing strength of this country, every year, adds greatly to the means of waging war with success, if one should be indispensable.—What was the military force of the United States ten years ago—what is it now—what will it be ten years hence?—Apply the same questions to our finances—and, who at this time will insist upon a national quarrel, if it can be avoided—when every day adds to our strength, and increases the chances of success?

Even if the causes of discontent were much greater than they are—or if the military spirit of our country was as ardent as that which prevailed in the times of chivalry, yet it is hoped that, by peace, every thing that we want may be gained. By war, much is to be feared, much, perhaps every thing may be lost. Let us then persevere in the course of wisdom—let us bear and forbear, and teach the mighty nations of Europe, that virtue, moderation and justice, are the surest roads to national glory, prosperity and happiness.

The conduct of President Jefferson, has hitherto corresponded so exactly with these sentiments—and has been so precisely what it ought to have been, that he has endeavored himself by new ties and claims to the confidence and gratitude of his country. No admission is necessary as far as relates to his private wishes,—but public opinion, misled by such delusions as have been explained, may, and perhaps will poison the understandings of influential and popular men, who may in obedience to their errors, press on until from step to step, we shall be forced to a precipice, from which, to advance or to recede, will be equally perilous.

Under such circumstances, what are the inducements which are afforded by taking part with Great Britain? Do we want British domination? Let those who say no, distinguish, if they can, the advantages which are in store short of national degradation.—An alliance with that power, either by a gradual, but certain dereliction of political rights, or by the horrors and miseries of subjugation, will most surely have this fatal termination.—Be it therefore remembered, that there is one pen which denounces the paralytic project; which gives timely and salutary warnings; which has unfolded a long train of events past, present and to come; which has endeavored to open, as it were, the great volume of political science, in the cabins and cottages of the most obscure, and has in a style of defiance and contempt, urged the public deluders to oppose the doctrines which have been advanced; the course which has been pursued, will prove that there is one American, who has not only entered his protest against that project, but has published many elaborate essays to prevent it.

Even if Great Britain and America could support a successful war against France, until a revolution in that country, should produce a new era and destiny, the same powers and means by which an effectual co-operation may be effected, will not fail to put a seal to the free constitution of this country.—If France shall succeed and overthrow Great Britain, it is not likely that she will forget the co-operation of this country, in the British quarrel.—In either way ruin is to be feared.

The foregoing illustrations open also to our considerations, the interior concerns of the United States. The principles which are necessary to support an equidistant neutrality, were those which appeared to the writer most likely to preserve the benefits of peace, without relinquishing our national honor, or compromising our independence. And although a good deal has appeared in the public prints, relating to this subject, in which individual and party zeal, have been manifested, yet it does not appear to the writer of this article, that any thing is to be feared from either of the contending nations, to excite our fears, or that ought has happened from either which renders it a duty, to resort to direct or indirect hostility.

It ought also to be recollected that, a national prejudice has long existed between the British and French nations. It has been indicated in the earliest periods of infancy, and has been not only encouraged by the rulers of each nation during the long period of five centuries—but they have always entered into wars with each other, not only with promptitude, but often with an incurable hatred and inveteracy. Those passions alone would be sufficient to animate these nations against each other, and if they really exist to the extent which is ascribed, it will be ridiculous to expect that a reconciliation shall take place, until exhausted and wearied by the contest, they may secretly and mutually pant for peace.

In this state of things—while there are so many Sampsons in war, and Solomons in council, while these nations directly or indirectly, derive aid and resources from every region of our planet, mutually hate, and industriously endeavor to destroy each other; why should the Americans take a part in the mighty contest, and how can those politicians who urge us into plans which will assist or injure one or the other, reconcile it to their characters as philosophers—or promoters of the immediate welfare of the country? This is a question which will not, because it cannot be answered.

Nor is this all; the pages of history shew to us that there is nothing in the origin of those nations which justifies this implacable exterminating hatred. France, England, America, Holland and Germany, as far as the writer of this can determine, are essentially the same people, and are to be distinguished only by language and municipal institutions. All historians know this truth, and it is to be regretted that a little pains has not been taken to illustrate it in a plain and compendious manner, suitable to the immediate comprehensions of those who have neither the time nor the industry to wade through the volumes, in which these truths are recorded.

No man can separate his feelings from